

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

SENATE BILL 209

**48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008**

INTRODUCED BY

Richard C. Martinez

AN ACT

RELATING TO REAL PROPERTY; AMENDING THE UNIFORM REAL PROPERTY  
ELECTRONIC RECORDING ACT TO CORRECT AN INTERNAL REFERENCE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 14-9A-5 NMSA 1978 (being Laws 2007,  
Chapter 261, Section 5) is amended to read:

"14-9A-5. ADMINISTRATION AND STANDARDS.--

A. The information technology commission and the  
state commission of public records, in consultation with the  
county clerks of New Mexico, shall adopt standards to implement  
the Uniform Real Property Electronic Recording Act.

B. To keep the standards and practices of county  
clerks in this state in harmony with the standards and  
practices of recording offices in other jurisdictions that  
enact substantially the Uniform Real Property Electronic

underscoring material = new  
[bracketed material] = delete

1 Recording Act and to keep the technology used by county clerks  
2 in this state compatible with technology used by recording  
3 offices in other jurisdictions that enact substantially the  
4 Uniform Real Property Electronic Recording Act, the information  
5 technology commission and the state commission of public  
6 records, in consultation with the county clerks of New Mexico,  
7 so far as is consistent with the purposes, policies and  
8 provisions of the Uniform Real Property Electronic Recording  
9 Act, in adopting, amending and repealing standards shall  
10 consider:

11 (1) standards and practices of other  
12 jurisdictions;

13 (2) the most recent standards promulgated by  
14 national standard-setting bodies, such as the property records  
15 industry association;

16 (3) the views of interested persons and  
17 governmental officials and entities;

18 (4) the needs of counties of varying size,  
19 population and resources; and

20 (5) standards requiring adequate information  
21 security protection to ensure that electronic documents are  
22 accurate, authentic, adequately preserved and resistant to  
23 tampering.

24 C. The secretary of state may adopt and promulgate  
25 rules to implement the provisions of Subsection C of Section [3  
.170289.1

underscoring material = new  
[bracketed material] = delete

1 ~~of the Uniform Electronic Recording Act]~~ 14-9A-3 NMSA 1978 by  
2 providing for the electronic notarization, acknowledgment,  
3 verification, swearing or affirming under oath and other  
4 notarial acts by notaries public with respect to a document or  
5 signature."

6 - 3 -  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25